

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

RICHARD TURRIETTA,

Plaintiff,

v.

CIV 09-1216 BB/LAM

RON TORRES, et al.,

Defendants.

**ORDER GRANTING DEFENDANT RON TORRES' MOTION TO
AMEND CASE CAPTION (Doc. 39)**

THIS MATTER is before the Court on *Defendant Ron Torres' Motion to Amend Case Caption* (Doc. 39), filed June 4, 2010. The motion states that Plaintiff mistakenly spelled Defendant Torres' name incorrectly in his *Complaint* (Doc. 1-3) (spelling it as "Torrez" instead of "Torres"), and asks the Court to amend the caption of this case to reflect the correct spelling of his name and to order the parties to use the correct spelling in future submissions. *Id.* at 1-2. In the motion, Defendant Torres states that he has made numerous efforts to determine whether this motion is opposed, but the *pro se* Plaintiff has failed to respond to all of those efforts. *Id.* at 1. Having considered the motion and the record of this case, the Court **FINDS** that there is no need for Plaintiff's concurrence in this motion and, therefore, the motion is well-taken and should be **GRANTED**.

IT IS THEREFORE ORDERED that the Clerk of the Court amend the caption of this case to reflect the proper spelling of Defendant Torres' name (which is "Torres," not "Torrez").

IT IS FURTHER ORDERED that the parties use the correct spelling of Defendant Torres' name in all future submissions.

IT IS SO ORDERED.

Lourdes A. Martínez

HONORABLE LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE